City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: January 2, 2018

Item: COUNCIL BILL NO. 2018-250
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-250
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 12/11/17

Recommended Action: Planning and Zoning Commission recommended approval by a vote of 7 In Favor.

SUMMARY/REQUEST:

Case 036-17: Southwest Corner of Glendale Avenue and Main Street – A request to review the final plat for 'Kum and Go Subdivision' – Ozark Civil Engineering, Inc.

STAFF SUMMARY:

The final plat approval is for Kum & Go addition. This addition will be a single lot zoned commercial at the Southwest corner of South Main Street and Glendale Road. It is adjacent to the Hideout Harley-Davidson. The Final Plat does require City Council approval.

Staff recommends approval of Case 036-17, pending corrections made by City Surveyor.

PLANNING & ZONING COMMISSION TESTIMONY:

Mike Clotfelter, Ozark Civil Engineering, Inc., 3214 NW Aveon Way, Bentonville, AR.

Mr. Duncan asked if there were any changes from the preliminary to the final plat?

Mr. Clotfelter stated there was not.

PUBLIC COMMENT:
None.

Z&P Meeting: December 11, 2017
City Council Meeting: January 2, 2018

STAFF PLANNING REPORT
Final Plat

CASE 036-17 Final Plat review

NAME OF SUBDIVISION Kum & Go Addition

LOCATION: S. Main St. (MO HWY 83) & Glendale Rd

APPLICANT: Scott A. & Nancy L. Hutson

PRESENT ZONING: C-3, Commercial District

PRESENT LAND USE: Vacant land/parking lot

SITE CONTEXT:

	North	East	South	West
Existing Zoning	C-3	C-3	C-3	C-3
Land Use	Commercial	Commercial	Commercial	Commercial

SUBDIVISION:

Number of lots
1

TRANSPORTATION:

Streets with access	Classification	Right-of-way width
Glendale Blvd.	Collector	60’
South Main Street	Arterial	175’

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES A new sewer extension will be added to service any new development.

FLOOD PLAIN N/A

STAFF ANALYSIS:

DOES THE PROPOSED SUBDIVISION COMPLY WITH THE CITY'S SUBDIVISION REGULATIONS?

Yes.

DISCUSSION

The final plat approval is for Kum & Go addition. This addition will be a single lot zoned commercial at the Southwest corner of South Main Street and Glendale Road. It is adjacent to the Hideout Harley-Davidson. The Final Plat does require City Council approval.

Staff recommends approval of Case 036-17, pending corrections made by City Surveyor.

ENCLOSURES:

Final Plat

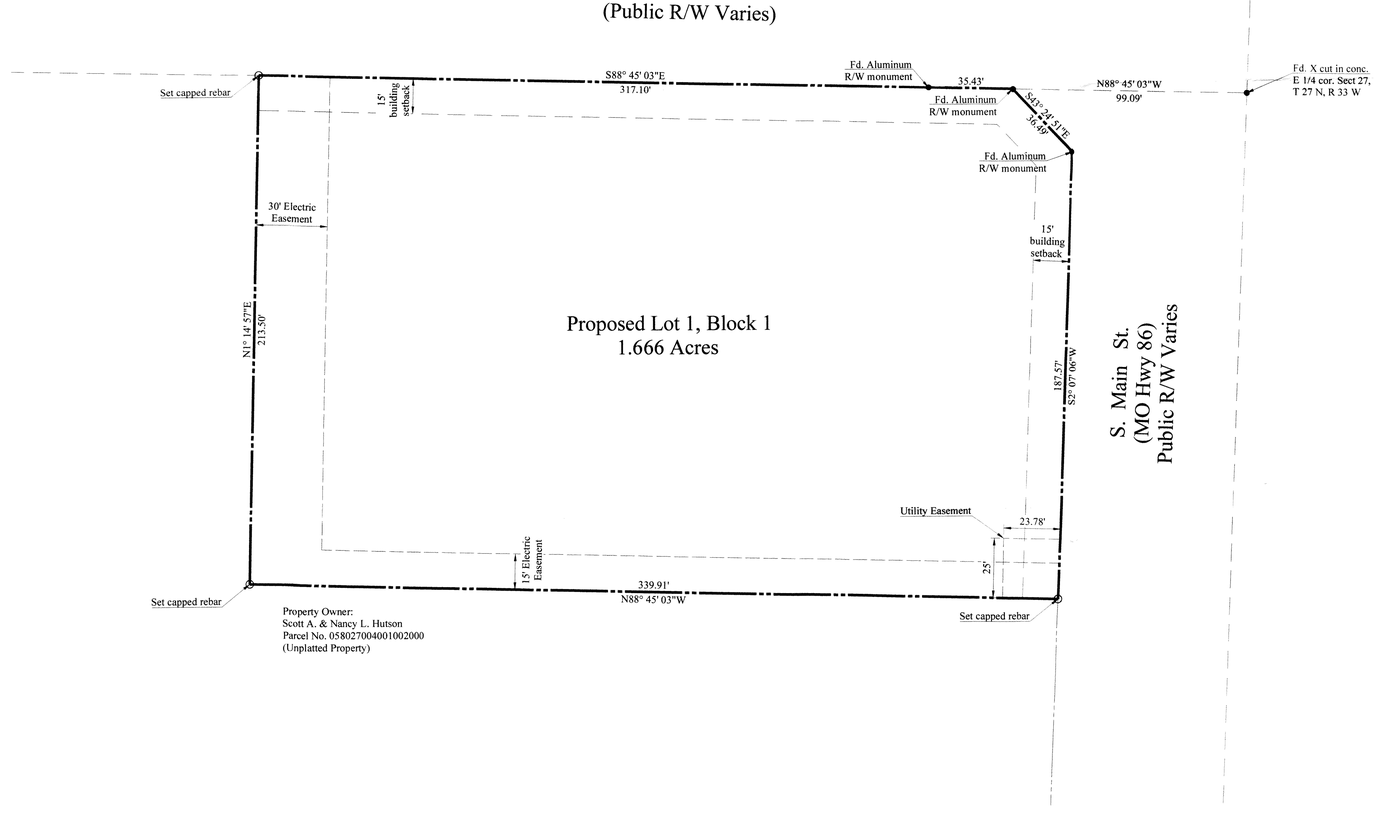
BASIS OF BEARINGS:
ARKANSAS STATE PLANE GRID, NORTH ZONE, NAD 83.

0 30' 45' 60'
SCALE IN FEET

FINAL PLAT

Kum & Go Subdivision

A subdivision being part of the Southeast Quarter of Section 27,
Township 27 North, Range 33 West, City of Joplin, Newton County, Missouri



Part of the Southeast Quarter Section 27, Township 27 North, Range 33 West of the 5th P.M., City of Joplin, Newton County, Missouri further described as follows:

Commencing at the Northeast corner of said Southeast Quarter; thence North 88°45'03" West, 99.09 feet along the North line of said Southeast Quarter to a point on the West right of way of South Main Street (Missouri Hwy 86) said point also being the point of beginning; thence South 43°24'51" East, 36.49 feet along said West right of way; thence South 2°07'06" West, 187.57 feet along said West right of way; thence leaving said West right of way North 88°45'03" West, 339.91 feet; thence North 1°14'57" East, 213.50 feet to a point on the North line of said Southeast Quarter; thence South 88°45'03" East, 317.10 feet along said North line to the point of beginning.

Contains 72,578 square feet or 1.666 acres of land, more or less.

CERTIFICATE OF OWNER:
We, the undersigned, owners of the real estate shown and described herein do hereby, plat and subdivide said real estate in accordance with the attached plat and do hereby dedicate all streets, easements and alleys to the City of Joplin, MO.

Scott A. Hutson _____ Date _____ Nancy L. Hutson _____ Date _____

State of Missouri }
} SS
County of Newton }

Be it remembered that on this _____ day of _____, 2018, before me, a notary public in and for said County and State, came Scott A. Hutson and Nancy L. Hutson to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

_____ My Commission Expries:_____
Notary Public

CERTIFICATE OF THE PLANNING AND ZONING COMMISSION:

This plat of KUM & GO SUBDIVISION has been submitted to and approved by the Joplin Planning and Zoning Commission on this _____ day of _____, 2018.

_____
Chairman

CERTIFICATE OF THE JOPLIN CITY COUNCIL:

This plat of KUM & GO SUBDIVISION, including easements and rights of way accepted by the City Council has been submitted to and approved by the Joplin City Council by Ordinance No. _____, duly passed and approved by the Mayor on the _____day of _____, 2018.

_____
Mayor

ATTEST:

_____
City Clerk

_____
City Clerk

CERTIFICATE OF RECORDING:

STATE OF MISSOURI }
COUNTY OF NEWTON }

I, _____, Recorded of Deeds of said County, do hereby certify that the within instrument of writing was, on the _____ day of _____, 2018, at _____o'clock and _____ minutes, _____ M. duly filed for record in this office, and is recorded in the records of this office in Plat Book _____, at Page _____.

In witness whereof, I have hereunto set my hand and seal this _____day of _____, 2018.

_____
Recorder of Deeds

CERTIFICATE OF SURVEYING ACCURACY:

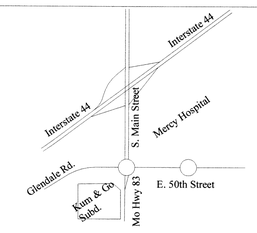
I do hereby certify that this plat correctly represents a survey made by me or under my direct supervision and in accordance with the current Missouri Minimum Standards for Property Boundary Surveys; that all monuments shown hereon actually exist or will be placed within 12 months after this plat is recorded, and their location, size, type, and material are correctly shown.

_____ Date _____
Richard L. Dayton
Professional Land Surveyor No. 2413

STATE OF MISSOURI
RICHARD L. DAYTON
NUMBER PLS-2413
PROFESSIONAL LAND SURVEYOR

NOTES:
1. Water service shall be by City of Joplin.
2. Sewer service shall be by City of Joplin.
3. Existing Zoning: C-3 Commercial District
4. Proposed Use: Convenience Store/Gas Station

FIRM NOTE:
By graphic scaling only this property is located within Flood Zone "X" as determined from the National Flood Insurance Program, Flood Insurance Rate Map, Map No. 29149C0017E, Effective Date: November 26, 2010.



VICINITY MAP
Not to Scale

Zark
Civil Engineering Inc.
3214 N.W. AVIGNON WAY, SUITE 4
BENTONVILLE, AR 72712
479.464.8850 | OFFICE 479.464.9040 | FAX

DATE OF FIELD SURVEY - September 19, 2017	
SCALE: 1"=30'	
DRAWN BY: RD	DATE: November 17, 2017
FIELD CREW: ICS	DRAWING NO. S170430
CHECKED BY: RLD	SHEET 1 OF 1

Case 036-17

Case 036-17: Southwest Corner of Glendale Avenue and Main Street-A request to Review the Final Plat of Kum and Go Subdivision -Ozark Civil Engineering, Inc.

Mr. Duncan asked if there was anyone who would like to speak in favor of this case.

Mike Clotfelter, Ozark Civil Engineering, Inc., 3214 NW Aveon Way, Bentonville, AR.

Mr. Duncan asked if there were any changes from the preliminary to the final plat?

Mr. Clotfelter stated there was not.

Mr. Bolander stated that staff has reviewed this plat and there are some formatting changes. The design, the square footage, and the legal description is correct. Missouri has made changes at the State level that should be on the final plat. Being from Arkansas they would not have known that and the corrections will not stop your approval of this plat if you so choose too.

Anyone else like to speak in favor of this case. There were none.

Anyone here to speak in opposition of this case. There were none.

Mr. Duncan Closed the Public Hearing.

MRS. BRUECKNER-SEARS MOVED, SECONDED BY MRS. KOELKEBECK, THAT CASE 036-17 BE FORWARD TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. THE MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MS. BRUECKNER-SEARS MR. DERMOTT, MS. KOELKEBECK, AND MS. STEELE VOTING "AYE". (7 IN FAVOR, 0 NAYS).

P & Z Case 036-17
Ozark Civil Engineering, Inc.
(P & Z Recommended Approval)

COUNCIL BILL NO. 2018-250 ORDINANCE NO.

AN ORDINANCE establishing grades and accepting the Plat of KUM AND GO Addition located Southwest Corner of Glendale Avenue and Main Street, in the City of Joplin, Newton County, Missouri.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the grades in the Plat of KUM AND GO Addition located on the Southwest Corner of Glendale Avenue and Main Street in the City of Joplin, Newton County, Missouri be and the same are hereby fixed and established as follows:

PART OF THE SOUTHEAST QUARTER SECTION 27, TOWHSIP 27 NORTH, RANGE 33 WEST OF THE 5TH P.M., CITY OF JOPLIN, NEWTON COUNTY, MISSOURI FURTHER DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREE 45 MINUTES 03 SECONDS WEST, 99.09 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO A POINT ON THE WEST RIGHT OF WAY OF SOUTH MAIN STREET (MISSOURI HWY 86) SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 43 DEGREE 24 MINUTES, 51 SECONDS EAST, 36.49 FEET ALONG SAID WEST RIGHT OF WAY; THENCE SOUTH 2 DEGREE 07 MINUTES 06 SECONDS WEST, 187.57 FEET ALONG SAID WEST RIGHT OF WAY; THENCE LEAVING SAID WEST RIGHT OF WAY NORTH 88 DEGREES 45 MINUTES 3 SECONDS WEST, 339.91 FEET; THENCE NORTH 1 DEGREE 14 MINUTES 57 SECONDS EAST, 213.50 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREE 45 MINUTES 03 SECONDS EAST, 317.10 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. CONTAINS 72,578 SQUARE FEET OR 1.666 ACRES OF LAND, MORE OR LESS.

Section 2. That said plat, having been filed showing that the lots have been staked out and platted and the streets and alleys have been dedicated to the public for public use, and that the proper levels have been run and the grades established for said addition, is hereby accepted by the City of Joplin, Newton County, Missouri, and according to the statues of the State of Missouri.

Section 3. That the City Clerk is hereby authorized and directed to endorse upon such plat the approval of the Council under her hand and the Seal of the City of Joplin, Missouri.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2018, by a vote of _____.

_____
Michael L. Seibert, Mayor

ATTEST:

_____

Barbara Golhofer, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney